

SEP. 18 2008

PTO/SB/21 (08-08)

Approved for use through 09/30/2008, OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                    |
|------------------------|--------------------|
| Application Number     | 10/542,880         |
| Filing Date            | September 29, 2005 |
| First Named Inventor   | Yasuyuki Kitayama  |
| Art Unit               | 1626               |
| Examiner Name          | Chu, Yong Liang    |
| Attorney Docket Number | 441P095            |

**ENCLOSURES (Check all that apply)**

|   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                  | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input checked="" type="checkbox"/> Fee Attached                          | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply                                  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                      | <input type="checkbox"/> Terminal Disclaimer                              | -Form PTO-1449  |
| <input checked="" type="checkbox"/> Information Disclosure Statement      | <input type="checkbox"/> Request for Refund                               | -Copy of European communication dated 8/13/08.  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> CD, Number of CD(s) _____                        |   |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application   | <input type="checkbox"/> Landscape Table on CD                            |   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |
| Remarks   |   |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | Nields & Lemack   |          |        |
| Signature    |  |          |        |
| Printed name | Kevin S. Lemack   |          |        |
| Date         | September 16, 2008  | Reg. No. | 32,579 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |   |      |                    |
|-----------------------|---|------|--------------------|
| Signature             |  |      |                    |
| Typed or printed name | Kevin S. Lemack   | Date | September 16, 2008 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2008

Applicant claims small entity status. See 37 CFR 1.27

|                         |      |        |
|-------------------------|------|--------|
| TOTAL AMOUNT OF PAYMENT | (\$) | 180.00 |
|-------------------------|------|--------|

**Complete if Known**

|                      |                    |
|----------------------|--------------------|
| Application Number   | 10/542,880         |
| Filing Date          | September 29, 2005 |
| First Named Inventor | Yasuyuki Kitayama  |
| Examiner Name        | Chu, Yong Liang    |
| Art Unit             | 1626               |
| Attorney Docket No.  | 441P095            |

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 14-0930 Deposit Account Name: Nields & Lemack

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       |                |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) | Fees Paid (\$) |
| Utility          | 310         | 155                   | 510         | 255                   | 210              | 105                   | _____          |
| Design           | 210         | 105                   | 100         | 50                    | 130              | 65                    | _____          |
| Plant            | 210         | 105                   | 310         | 155                   | 160              | 80                    | _____          |
| Reissue          | 310         | 155                   | 510         | 255                   | 620              | 310                   | _____          |
| Provisional      | 210         | 105                   | 0           | 0                     | 0                | 0                     | _____          |

**2. EXCESS CLAIM FEES**Fee Description

Each claim over 20 (including Reissues)

Small EntityFee (\$) Fee (\$)

50

25

Each independent claim over 3 (including Reissues)

210

105

Multiple dependent claims

370

185

Total ClaimsExtra ClaimsFee (\$)Fee Paid (\$)Multiple Dependent ClaimsFee (\$) Fee Paid (\$)

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

Indep. ClaimsExtra ClaimsFee (\$)Fee Paid (\$)Fee (\$) Fee Paid (\$)

- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 =      | / 50 =       | (round up to a whole number) x _____ = _____     |          |               |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): IDS Filing FeeFees Paid (\$)

\$180.00

**SUBMITTED BY**

|                   |   |   |                         |
|-------------------|---|---|-------------------------|
| Signature         |  | Registration No.<br>(Attorney/Agent) 32,579 | Telephone 508-898-1818  |
| Name (Print/Type) | Kevin S. Lemack   |   | Date September 16, 2008 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SEP 18 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yasuyuki Kitayama et al.  
Serial No. : 10/542,880  
Filed : September 29, 2005  
For : NEAR-INFRARED ABSORBING COMPOUND AND NEAR-INFRARED ABSORBING FILTER USING SAME  
Examiner : Chu, Yong Liang  
Art Unit : 1626  
Confirmation No: 8386  
Attorney  
Docket No. : 441P095

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

INFORMATION DISCLOSURE STATEMENT

The Examiner is respectfully requested to consider the document(s), which is/are listed on the attached form PTO 1449.

The Examiner's attention is drawn to related co-pending U.S. Patent Application Serial No. 11/661,800 filed April 16, 2007, and the references cited therein.

The relevance of the references is shown in the attached European communication dated August 13, 2008, which indicates the degree of relevance found by the European Patent Office in a related foreign application.

Please note that EP1403666 was previously cited in an Information Disclosure Statement filed in the above application on June 19, 2006, and is not being listed on the attached form PTO-1449 .

Enclosed is a check in the amount of \$180.00 in payment of the fee pursuant to 37 C.F.R. §1.17(p).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **September 16, 2008**

  
Signature: **Kevin S. Lemack**  
Date: **September 16, 2008**

Respectfully submitted,

  
Kevin S. Lemack  
Attorney for Applicants  
Registration No. 32,579  
Nields & Lemack  
176 E. Main Street  
Westboro, MA 01581  
TEL: 508-898-1818

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